



## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

The Facebook account with user ID larry.holton.1612,  
more particularly described in Attachment A

Case No.

MJ19-5034

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated by reference herein.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC 841(a)(1) and 846	Distribution of and Conspiracy to Distribute Controlled Substances

The application is based on these facts:

See Affidavit of DEA Special Agent Steve Meyer.

- ☒ Continued on the attached sheet.  
☒ Delayed notice of 365 days (give exact ending date if more than 30 days: 03/11/2020) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Steve Meyer, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: March 12, 2019

Judge's signature

City and state: Tacoma, Washington

Theresa L. Fricke, United States Magistrate Judge

Printed name and title



1 transactions involving the proceeds of specified unlawful activities; and conspiracies  
2 associated with criminal narcotics offenses. These investigations have included use of  
3 the following investigative techniques: confidential informants; undercover agents;  
4 analysis of pen register, trap and trace, and toll records; physical and electronic  
5 surveillance; wiretaps; and the execution of search warrants. I have had the opportunity  
6 to monitor, listen to, review transcripts and line sheets (prepared by linguists)  
7 documenting the content of intercepted conversations involving the trafficking of  
8 cocaine, heroin, methamphetamine, and other narcotics, by persons who used some form  
9 of code to thwart law enforcement. I have also interviewed defendants at the time of  
10 their arrests and have debriefed, spoken with, or interviewed numerous drug dealers or  
11 confidential sources (informants) at proffer interviews who were experienced in speaking  
12 in coded conversations over the telephone. I have gained knowledge regarding the  
13 various methods, techniques, codes, and/or jargon used by drug traffickers in the course  
14 of their criminal activities, including their use of cellular telephones and other electronic  
15 devices to facilitate communications while avoiding law enforcement scrutiny.

#### 16 **PURPOSE OF AFFIDAVIT**

17 4. This Affidavit is submitted in support of an application for a search warrant  
18 under Title 18, United States Code, Sections 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A)  
19 to require Facebook to disclose to the government records and other information in its  
20 possession, pertaining to the subscriber or customer associated with the following  
21 Facebook account (referred to herein as SUBJECT ACCOUNT 13):

22 a. Facebook user ID larry.holton.1612, registered under the name  
23 LARRY HOLTON.

24 5. All of the requested information is stored at premises owned, maintained,  
25 controlled, or operated by Facebook, a social networking company headquartered in  
26 Menlo Park, California. The information to be searched is described in the following  
27 paragraphs and in Attachment B. This is the first application for a search warrant for  
28 SUBJECT ACCOUNT 13 in this investigation.

1           6.       In 2017, agents identified Juan Andres CASTRO Valenzuela as a drug  
2 distribution coordinator operating out of Sinaloa, Mexico, through Facebook (and other  
3 means). Investigators believe he is directing drug operations in Western Washington, and  
4 possibly elsewhere in the United States, from Mexico. In order to communicate with  
5 distributors and drug customers in the United States, CASTRO utilizes a variety of  
6 applications, to include Facebook. To date, agents have identified twelve Facebook  
7 'Subject Accounts' connected to CASTRO, and received court authorization to search  
8 their contents. In December 2018, as a part of larger investigation involving these  
9 Facebook records and other evidence, agents arrested dozens of members of the  
10 CASTRO DTO.

11           7.       Recently, agents identified a thirteenth 'Subject Account' they believe  
12 CASTRO is using for these same purposes, under the username LARRY HOLTON  
13 (SUBJECT ACCOUNT 13). This account contained multiple Facebook friends  
14 confirmed to be drug customers of CASTRO. As set forth in more detail below,  
15 investigators are requesting authorization to search the contents of SUBJECT  
16 ACCOUNT 13 for evidence of the CASTRO DTO's ongoing drug trafficking and related  
17 criminal activities.

#### 18                           **FACEBOOK INFORMATION STORAGE**

19           8.       I am aware from my experience and training, and consultation with other  
20 investigators, of the following information about Facebook:

21           9.       Facebook owns and operates a free-access social networking website of the  
22 same name, accessed at <http://www.facebook.com>. Facebook allows its users to establish  
23 accounts with Facebook, and users can then use their accounts to share written news,  
24 photographs, videos, and other information with other Facebook users, and sometimes  
25 with the general public.

26           10.      Facebook asks users to provide basic contact and personal identifying  
27 information to Facebook, either during the registration process or thereafter. This  
28 information may include the user's full name, birth date, gender, contact e-mail

1 address(es), Facebook passwords, Facebook security questions and answers (for  
2 password retrieval), physical address (including city, state, and zip code), telephone  
3 numbers, screen names, websites, and other personal identifiers. Facebook also assigns a  
4 user identification number to each account.

5 11. I know from speaking with other law enforcement that “cookies” are small  
6 files placed by a server (such as those used by Facebook) on a device to track the user  
7 and potentially verify a user’s authentication status across multiple sites or  
8 webpages. This cookie could be unique to a particular account (e.g., the Facebook  
9 account) or to a given device (e.g., the particular phone used to access the Facebook  
10 account). The next time a user visits a particular site or server, the server will ask for  
11 certain cookies to see if the server has interacted with that user before. Cookies can also  
12 be used to determine “machine cookie overlap,” or multiple accounts that have been  
13 accessed by the same individual machine (e.g., two Facebook accounts that have been  
14 accessed on the same phone). The machine cookie overlap thus allows Facebook to track  
15 accounts that are “linked” to each other because the same user account (username on a  
16 computer) on the same device accessed multiple Facebook accounts. This can identify  
17 either multiple Facebook accounts used by the same person or different people sharing  
18 the same user account and device. In either case, the machine cookie overlap means that  
19 the users of the linked accounts are the same person or two people in close proximity to  
20 each other (by virtue of them using the same device).

21 12. Facebook users may join one or more groups or networks to connect and  
22 interact with other users who are members of the same group or network. Facebook  
23 assigns a group identification number to each group. A Facebook user can also connect  
24 directly with individual Facebook users by sending each user a “Friend Request.” If the  
25 recipient of a “Friend Request” accepts the request, then the two users will become  
26 “Friends” for purposes of Facebook and can exchange communications or view  
27 information about each other. Each Facebook user’s account includes a list of that user’s  
28

1 “Friends” and a “News Feed,” which highlights information about the user’s “Friends,”  
2 such as profile changes, upcoming events, and birthdays.

3 13. Facebook users can select different levels of privacy for the  
4 communications and information associated with their Facebook accounts. By adjusting  
5 these privacy settings, a Facebook user can make information available only to himself or  
6 herself, to particular Facebook users, or to anyone with access to the Internet, including  
7 people who are not Facebook users. A Facebook user can also create “lists” of Facebook  
8 friends to facilitate the application of these privacy settings. Facebook accounts also  
9 include other account settings that users can adjust to control, for example, the types of  
10 notifications they receive from Facebook.

11 14. Facebook users can create profiles that include photographs, lists of  
12 personal interests, and other information. Facebook users can also post “status” updates  
13 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
14 other items available elsewhere on the Internet. Facebook users can also post information  
15 about upcoming “events,” such as social occasions, by listing the event’s time, location,  
16 host, and guest list. In addition, Facebook users can “check in” to particular locations or  
17 add their geographic locations to their Facebook posts, thereby revealing their geographic  
18 locations at particular dates and times. A particular user’s profile page also includes a  
19 “Wall,” which is a space where the user and his or her “Friends” can post messages,  
20 attachments, and links that will typically be visible to anyone who can view the user’s  
21 profile.

22 15. Facebook allows users to upload photos and videos. It also provides users  
23 the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is  
24 tagged in a photo or video, he or she receives a notification of the tag and a link to see the  
25 photo or video. For Facebook’s purposes, the photos and videos associated with a user’s  
26 account will include all photos and videos uploaded by that user that have not been  
27 deleted, as well as all photos and videos uploaded by any user that have that user tagged  
28 in them.



1           16. Facebook users can exchange private messages on Facebook with other  
2 users. These messages, which are similar to e-mail messages, are sent to the recipient's  
3 "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well  
4 as other information. Facebook users can also post comments on the Facebook profiles  
5 of other users or on their own profiles; such comments are typically associated with a  
6 specific posting or item on the profile. In addition, Facebook has a Chat feature that  
7 allows users to send and receive instant messages through Facebook. These chat  
8 communications are stored in the chat history for the account. Facebook also has a Video  
9 Calling feature, and although Facebook does not record the calls themselves, it does keep  
10 records of the date of each call.

11           17. If a Facebook user does not want to interact with another user on Facebook,  
12 the first user can "block" the second user from seeing his or her account.

13           18. Facebook has a search function that enables its users to search Facebook for  
14 keywords, usernames, or pages, among other things.

15           19. Each Facebook account has an activity log, which is a list of the user's  
16 posts and other Facebook activities from the inception of the account to the present. The  
17 activity log includes stories and photos in which the user has been tagged, as well as  
18 connections made through the account, such as "liking" a Facebook page or adding  
19 someone as a friend. The activity log is visible to the user but cannot be viewed by  
20 people who visit the user's Facebook page.

21           20. Facebook Notes is a blogging feature available to Facebook users, and it  
22 enables users to write and post notes or personal web logs ("blogs"), or to import their  
23 blogs from other services, such as Xanga, LiveJournal, and Blogger.

24           21. In addition to the applications described above, Facebook also provides its  
25 users with access to thousands of other applications on the Facebook platform. When a  
26 Facebook user accesses or uses one of these applications, an update about that the user's  
27 access or use of that application may appear on the user's profile page.

1           22.     Some Facebook pages are affiliated with groups of users, rather than one  
2 individual user. Membership in the group is monitored and regulated by the  
3 administrator or head of the group, who can invite new members and reject or accept  
4 requests by users to enter. Facebook can identify all users who are currently registered to  
5 a particular group and can identify the administrator and/or creator of the group.  
6 Facebook uses the term “Group Contact Info” to describe the contact information for the  
7 group’s creator and/or administrator, as well as a PDF of the current status of the group  
8 profile page.

9           23.     Facebook uses the term “Neoprint” to describe an expanded view of a given  
10 user profile. The “Neoprint” for a given user can include the following information from  
11 the user’s profile: profile contact information; News Feed information; status updates;  
12 links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists,  
13 including the friends’ Facebook user identification numbers; groups and networks of  
14 which the user is a member, including the groups’ Facebook group identification  
15 numbers; future and past event postings; rejected “Friend” requests; comments; gifts;  
16 pokes; tags; and information about the user’s access and use of Facebook applications.

17           24.     Facebook also retains Internet Protocol (“IP”) logs for a given user ID or IP  
18 address. These logs may contain information about the actions taken by the user ID or IP  
19 address on Facebook, including information about the type of action, the date and time of  
20 the action, and the user ID and IP address associated with the action. For example, if a  
21 user views a Facebook profile, that user’s IP log would reflect the fact that the user  
22 viewed the profile, and would show when and from what IP address the user did so.

23           25.     Social networking providers like Facebook typically retain additional  
24 information about their users’ accounts, such as information about the length of service  
25 (including start date), the types of service utilized, and the means and source of any  
26 payments associated with the service (including any credit card or bank account number).  
27 In some cases, Facebook users may communicate directly with Facebook about issues  
28 relating to their accounts, such as technical problems, billing inquiries, or complaints



1 from other users. Social networking providers like Facebook typically retain records  
2 about such communications, including records of contacts between the user and the  
3 provider's support services, as well as records of any actions taken by the provider or  
4 user as a result of the communications.

5 26. Therefore, the computers of Facebook are likely to contain all the material  
6 described above, including stored electronic communications and information concerning  
7 subscribers and their use of Facebook, such as account access information, transaction  
8 information, and other account information. I believe such information is likely to  
9 constitute evidence of the drug trafficking crimes currently under investigation.

#### 10 **SUMMARY OF PROBABLE CAUSE**

11 27. The information set forth in this Affidavit consists of information I have  
12 gathered and observed firsthand through the course of this investigation to date, as well  
13 as information relayed to me by other law enforcement personnel, my review of law  
14 enforcement reports, interviews of witnesses, and my review and analysis of toll records.  
15 Since I am submitting this Affidavit for the limited purpose of obtaining authorization to  
16 search SUBJECT ACCOUNT 13 as described herein, I have not included every fact  
17 known to me concerning this investigation. I have set forth only the facts that I believe  
18 are essential to establish the necessary foundation for the issuance of such warrants.

#### 19 ***Background Information Regarding Investigation***

20 28. Agents are investigating a drug trafficking organization (DTO) in Western  
21 Washington they believe is being operated by Juan (and Florencio) CASTRO Valenzuela  
22 (the user(s) of SUBJECT ACCOUNT 13), and their associates. This organization is  
23 referred to as the CASTRO DTO and predominantly is involved in the trafficking of  
24 high-purity heroin, crystal methamphetamine, and genuine or counterfeit oxycodone pills.

25 29. This investigation started as a local drug investigation by the Bremerton  
26 Police Department (BPD) in August 2017 when an individual (Confidential Source 1, or  
27 CS1) agreed to cooperate with law enforcement in exchange for judicial considerations.  
28 CS1 was arrested by members of the BPD Special Operations Group (SOG) for his/her

1 involvement in drug trafficking. CS1 cooperated with SOG and provided them with  
2 information about a group of Mexican drug traffickers who were distributing large  
3 amounts of heroin in the Puget Sound region. CS1 advised SOG that he/she had been  
4 selling various controlled substances for several years and had been in contact with  
5 several of the people within this group of Mexican drug traffickers, which agents named  
6 the CASTRO DTO.

7 30. Within that organization, CS1 connected with a prominent drug trafficker  
8 whom the CS knew as "Juan" or "Jose." CS1 believed the individual he/she knew as  
9 "Juan" was the local leader of the drug distribution at that time, and was later promoted  
10 to a larger role in the DTO. BPD Detective Jordan Ejde located a Facebook account  
11 under the name of "Juan Andres CASTRO Valenzuela" (Subject Account 2, the target of  
12 a prior search warrant issued by this Court)) that CS1 and other local suspected drug  
13 dealers were associated with. Det. Ejde questioned CS1 about the account and CS1  
14 confirmed CASTRO was the male whom he/she referred to as "Juan" or "Jose." CS1  
15 also showed Det. Ejde messages confirming that CASTRO had been in (then) recent  
16 contact with CS1, using Subject Account 2. According to CS1 and the Facebook data  
17 he/she provided, CS1 had been talking to CASTRO via Facebook Messenger for  
18 purposes of making drug transactions since approximately June of 2016.

19 31. A review of CS1's Facebook account showed CASTRO also contacted CS1  
20 from additional Facebook accounts under the names of "REBECA SPENCER" (Subject  
21 Account 5), "ANNEL BAKER" (Subject Account 4), and "KATHERINE THOMAS"  
22 (Subject Account 1). All three of those accounts have also been the target of search  
23 warrants issued by this Court. A review of CS1's phone showed CASTRO also used  
24 Mexican phone numbers 52-668-199-4039, 52-668-248-4230, 52-668-225-5890, and 52-  
25 668-199-5533 to communicate with CS1 via text message and voice calls. Subject  
26 Account 1 and phone number 52-668-199-4039 were (at that time) CASTRO's most  
27 current methods of drug related communications with CS1.  
28

1           32. Det. Ejde and DEA Special Agent (SA) Anthony DelVecchio confirmed  
2 CASTRO's identity via the Washington State Department of Licensing (WADOL).  
3 Specifically, CASTRO's WADOL photograph matches that of the individual depicted on  
4 Subject Account 2. Furthermore, according to a law enforcement database, CASTRO  
5 was involved as a suspected "cell head" for heroin distribution in the Everett area during  
6 a DEA investigation that took place in 2012. SA DelVecchio researched this prior DEA  
7 case and found that CASTRO was, in fact, the primary target of investigation within that  
8 case.

9           33. Based on how CASTRO first interacted with CS1, I believe CASTRO used  
10 Subject Account 2 for initially contacting his suspected drug redistributors/customers.  
11 When CASTRO first contacted the CS via Facebook Messenger, he used Subject  
12 Account 2. After a brief introduction utilizing Subject Account 2, CASTRO switched  
13 over to a more discrete account(s), e.g., Subject Account 4 and/or Subject Account 5, for  
14 the actual organizing of the suspected drug transactions. I believe that by having a  
15 picture of himself (CASTRO) as the account user for Subject Account 2, it helped his  
16 redistributors/customers recognize him in addition to him building a rapport with them.

17           34. CASTRO used Subject Account 1, Subject Account 2, Subject Account 4,  
18 Subject Account 5, and an account under the name "ALISSA KEYSER" (Subject  
19 Account 6, also the target of a search warrant issued by this Court), as well as various  
20 telephone numbers, to set up drug deals with CS1.

21           35. CS1 conducted seven controlled buys of suspected heroin from the  
22 CASTRO DTO and was able to introduce an undercover DEA agent (UC) to the  
23 CASTRO DTO towards the end of 2017. Unfortunately, CS1 was battling heroin  
24 addiction for most of the time he/she was working with agents and admitted to obtaining  
25 personal use quantities of heroin from the CASTRO DTO during and after some of the  
26 controlled purchases. Following a brief period in rehabilitation/treatment, CS1 relapsed  
27 into heroin use in the spring of 2018. In May 2018, local police arrested CS1 and  
28 charged him/her with residential burglary (felony) and driving with a suspended or

1 revoked license (misdemeanor). SOG deactivated CS1 in May 2018 due to CS1's  
2 substance abuse issues. However, agents found CS1's information to be reliable during  
3 the time agents utilized him/her to gather information.

4 36. CS1's criminal history includes a felony conviction for  
5 Manufacture/Deliver a Schedule I/II Narcotic in 2013, gross misdemeanor convictions  
6 for Third Degree Malicious Mischief and First Degree Criminal Trespass in 2018, Fourth  
7 Degree Assault in 2015, and Third Degree Malicious Mischief in 2011; and misdemeanor  
8 convictions for Second Degree Criminal Trespass and Possession of Drug Paraphernalia  
9 in 2018, Third Degree Driving With a Suspended or Revoked License in 2018 and 2008,  
10 Indecent Exposure in 2013, and Third Degree Malicious Mischief in 2006.

11 ***Undercover Controlled Purchases Utilizing Subject Account 1***

12 37. In early November 2017, SOG provided DEA agents, including an  
13 undercover agent (the UC) with the various phone numbers and Facebook accounts they  
14 believed CASTRO and SARMIENTO used for drug trafficking purposes.

15 38. On November 14, 2017, CS1 sent the UC an invitation to join a group  
16 Facebook Messenger chat session, which linked the UC in communication with Subject  
17 Account 1. CASTRO and the UC then engaged in conversation regarding CASTRO's  
18 pricing for heroin. On November 16, 2017, agents conducted an undercover purchase of  
19 heroin from CASTRO (through one of the DTO's couriers) in Tacoma, Washington. The  
20 UC contacted CASTRO on 52-668-199-4039 (Target Telephone 1 or TT1) and through  
21 Subject Account 1 prior to this transaction in order to facilitate the meeting. After the  
22 UC met with the courier and the transaction was completed, agents transported the  
23 suspected heroin to the DEA Tacoma Resident Office where it was weighed at  
24 approximately 87.4 gross grams.

25 39. On November 27, 2017, the UC received a text message from CASTRO  
26 (TT1). During this conversation, the UC and CASTRO discussed a future drug  
27 transaction for four ounces of heroin that would later occur on November 30, 2017. On  
28 November 30, the UC again met with the DTO's courier, this time in Federal Way,

1 Washington. Prior to the controlled buy, the UC initiated a Facebook Messenger  
 2 conversation with CASTRO through Subject Account 1. Using Subject Account 1,  
 3 CASTRO told the UC that he changed the meet location from the Tacoma Mall to  
 4 Federal Way, Washington. After the UC arrived at the new meeting location, he/she  
 5 received two calls from CASTRO. Of note, Facebook Messenger has telephone call  
 6 capabilities as well as video chat. The first phone call came through Facebook  
 7 Messenger under Subject Account 1, and the second call came from TT1.

8 40. The courier eventually arrived in at the new meeting location, and the UC  
 9 and the courier completed the transaction. Agents transported the suspected heroin to the  
 10 TRO where it was weighed at approximately 136.1 gross grams. Shortly after the UC  
 11 and the courier parted ways, CASTRO sent a large “thumbs up” graphic to the UC via  
 12 Subject Account 1, indicating a successful drug transaction.

13 41. On December 15, 2017, at 11:16 a.m., the UC attempted to call CASTRO  
 14 via Subject Account 1 on Facebook Messenger. CASTRO did not answer the call, but  
 15 typed a response at 11:17 a.m. In those communications and others exchanged that day,  
 16 CASTRO and the UC arranged a deal to take place in Kent, Washington.

17 42. At approximately 1:45 p.m., the UC observed a vehicle pull up and park  
 18 next to him. The UC exited his vehicle, got into the vehicle’s front passenger seat, and  
 19 greeted the same DTO courier who delivered the heroin to the UC during the first two  
 20 controlled buys. The UC and the courier completed their transaction, and at 1:54 p.m.,  
 21 CASTRO sent a large “thumbs up” graphic to the UC via Subject Account 1 on Facebook  
 22 messenger.

23 ***Federal Search Warrant for Subject Account 1***

24 43. On January 3, 2018, SA Samuel Landis obtained a search warrant from the  
 25 United States District Court for the Western District of Washington for Subject Account  
 26 1, believed to be used by CASTRO in order to network and facilitate suspected drug  
 27 transactions. On January 17, 2018, during a search of the Facebook Messenger portion of  
 28 the returned warrant materials, SA Landis found numerous suspected drug conversations



1 between CASTRO and individuals whom agents believe, based on the content of those  
 2 conversations and those individuals' respective criminal histories, are his drug  
 3 redistributors/customers.

4 44. During a search of the "Cookies" portion of Subject Account 1, SA Landis  
 5 found Subject Account 3 and Subject Account 4 listed as accounts linked to Subject  
 6 Account 1. On February 27, 2018, he contacted Facebook Support and asked how the  
 7 accounts linked to each other, based on the data Facebook had provided. Facebook  
 8 Support staff informed him that Subject Account 1, Subject Account 3, and Subject  
 9 Account 4 were all accessed by the same electronic device (one that is capable of  
 10 accessing the World Wide Web) and under the same "cookie." A "cookie" is a personal  
 11 identifier for a specific browser that links to particular web portal. This means CASTRO  
 12 used the same electronic device to access Subject Account 1, Subject Account 3, and  
 13 Subject Account 4. The electronic device CASTRO uses remembers his web signature or  
 14 "cookie" by storing his unique web browsing on Facebook. Anytime CASTRO reuses  
 15 the same electronic device to browse the web, e.g., Facebook, the device remembers his  
 16 web identifiers for him.

17 ***Federal Search Warrant for Subject Accounts 1 Through 6***

18 45. On March 8, 2018, SA Landis obtained a search warrant from the United  
 19 States District Court for the Western District of Washington for Subject Accounts 1  
 20 through 6, all of which he believed to be used by CASTRO in order to network and  
 21 facilitate suspected drug transactions. On March 29, 2018, during a search of the  
 22 Facebook Messenger portion of Subject Accounts 1 through 3 and 5 through 6<sup>1</sup> of the  
 23 returned warrant materials, SA Landis again found numerous suspected drug  
 24 conversations between CASTRO and individuals whom agents believe are his drug  
 25 redistributors/customers. Furthermore, during a search of the "Cookies" portion of  
 26

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27 <sup>1</sup> According to the Facebook Law Enforcement Response Team, SA Landis's historical data request for Subject  
 28 Account 4 could not be processed because Subject Account 4 no longer existed.

1 Subject Accounts 3 and 6, he found Subject Account 7 (registered under the name  
2 "GINA MORRIS") listed as an account that was accessed by the same electronic device  
3 and under the same "cookie" as the aforementioned accounts.

4 46. When SA Landis looked at Subject Account 7's friends list (publicly  
5 available on Facebook) and compared it to the other Subject Accounts' friend lists (with  
6 the exception of Subject Account 4), he found that the accounts all had multiple friends in  
7 common. Among the common friends were accounts that had been in contact with  
8 Subject Account 1, Subject Account 5, and Subject Account 6 for the purposes of  
9 organizing suspected drug transactions.

10 ***CASTRO Uses Subject Accounts 7 and 8 to Contact CS1***

11 47. On April 9, 2018, CASTRO contacted CS1 using Subject Account 7 to  
12 have CS1 help him register a white 2008 Honda Accord in Washington in exchange for  
13 "stuff," or what SA Landis believed to be heroin. CASTRO and CS1 arranged the  
14 vehicle registration to take place on April 10, 2018. At 10:17 a.m., CS1 electronically  
15 shared his/her location with CASTRO and continued his/her messaging conversation with  
16 CASTRO using Subject Account 7. In the conversation, CS1 confirmed his/her current  
17 location with CASTRO and, about twenty minutes later, agents saw another identified  
18 DTO courier and a male later identified as Juan Jose HIGUERA Gonzalez arrive at CS1's  
19 location.

20 48. After the registration process (and a subsequent lunch) was complete, the  
21 courier, HIGUERA, and CS1 met briefly in the parking lot, where the courier provided  
22 CS1 with approximately 20 grams of suspected heroin. CS1 met with SA DelVecchio  
23 and Det. Ejde at a secure location and provided them with the 20 grams of suspected  
24 heroin. SA DelVecchio and Det. Ejde searched CS1 for contraband items and did not  
25 find any items during that search. CS1 later told SA DelVecchio and Det. Ejde that the  
26 suspected heroin was the CS's "payment" for taking care of the vehicle registration and  
27 insurance, as CS1 and CASTRO had discussed on April 9, 2018.

1           49. SA Landis obtained a warrant from the United States District Court for the  
2 Western District of Washington for Subject Account 7 on April 19, 2018.

3           50. On April 27, 2018, CS1 contacted agents in regards to his/her recent  
4 contact with CASTRO. According to CS1, he/she believed CASTRO created a new  
5 Facebook account in order to contact his suspected local drug contacts in the Western  
6 Washington area. After agents acquired the account information from CS1, agents  
7 located Subject Account 8 (registered under the name "CHRIS HOLDFORD") on  
8 Facebook and, during a search of Subject Account 8's publicly available friends list,  
9 found that the majority of the people listed were also on the friends lists for Subject  
10 Accounts 1 through 7. Given this similarity between all eight Subject Accounts and  
11 CASTRO's use of Facebook accounts to communicate with his drug clientele (including  
12 CS1) in order to set up drug deals, agents believe CASTRO created Subject Account 8  
13 for the sole purpose of connecting with his suspected drug clientele in order to further his  
14 suspected drug transactions.

15           51. On July 3, 2018, SA Landis obtained a search warrant from the United  
16 States District Court for the Western District of Washington for Subject Account 8,  
17 which he believed CASTRO used in order to network and facilitate suspected drug  
18 transactions. On July 19, 2018, during a search of the Facebook Messenger portion of the  
19 returned warrant materials, SA Landis did not find any messages. This was highly  
20 unusual based on past UC interactions with CASTRO over Facebook Messenger and  
21 information previously gathered from the returned warrant materials for Subject  
22 Accounts 1 through 7. SA Landis contacted Facebook support staff via email on July 20,  
23 2018, to find out if there were any missing materials not included in the documents  
24 provided. Days later, he received a phone call from Facebook's support staff. During  
25 this call, SA Landis explained that in many of his previously authorized requests, he had  
26 not experienced the absence of information. Facebook support staff told him the user of  
27 Subject Account 8 may have deleted all of his conversations over Facebook Messenger.  
28 According to Facebook's support staff, if a Subject Account user deletes his/her

1 conversations over Facebook Messenger, Facebook cannot provide the information, even  
2 if a search warrant is executed on a Subject Account. This is because Facebook simply  
3 does not store deleted Facebook Messenger messages/conversations. However, with a  
4 preservation request, Facebook can preserve materials deleted by a Subject Account user  
5 and later produce them upon receipt of a court order (warrant). With a preservation  
6 request, Facebook will store any deleted conversations for any Subject Account for up to  
7 90 days for law enforcement personnel.

8         52. Despite the absence of Facebook Messenger materials for Subject Account  
9 8 from the search warrant return, SA Landis did receive other data associated with the  
10 Subject Account. Specifically, the phone number (TT20) associated with Subject  
11 Account 8 was one agents previously identified as being used by the CASTROs. On July  
12 10, 2018, agents conducted an undercover purchase of suspected heroin from the  
13 CASTRO DTO, through HIGUERA. The UC contacted the CASTRO brothers (on  
14 TT20) shortly after 11:00 a.m. and asked for “2 pieces” (or 50 grams) of heroin. The  
15 CASTROs agreed to do the deal for \$2,150. The subsequent transaction between the UC  
16 and HIGUERA lasted less than one minute. The UC provided HIGUERA with \$2,150 of  
17 DEA buy money and HIGUERA provided the UC with a substance that field-tested  
18 positive for the presence of heroin and weighed 83.4 gross grams (with packaging).

19 ***Discovery of Subject Accounts 9 and 10***

20         53. During the search of the “Cookies” portion of the returned warrant  
21 materials for Subject Account 8, SA Landis found Subject Account 1, Subject Account 3,  
22 Subject Account 6, Subject Account 7, and an account under the name “RUDY  
23 JACKSON” (Subject Account 9) listed as accounts accessed by the same electronic  
24 device and under the same “cookie.” Again, this indicated a very high probability that  
25 the same person(s) (i.e., the CASTROs) was using all of these Subject Accounts,  
26 including Subject Account 9, since the same electronic device (i.e., computer, cell phone,  
27 or the like) was accessing all of the accounts.

1           54. When SA Landis examined Subject Account 9's publicly available friends  
2 list and compared it to the other Subject Accounts' friend lists (with the exception of  
3 Subject Account 4), he found that the accounts all had multiple friends in common.  
4 Additionally, agents had previously identified most of these "friends" as suspected drug  
5 customers, further indicating the CASTROs are utilizing Subject Account 9 as a means of  
6 connecting with their suspected drug customers.

7           55. On July 23, 2018, SA Landis submitted a preservation request for Subject  
8 Account 9 through Facebook's law enforcement web portal in an effort to capture future  
9 suspected drug related conversations over Subject Account 9, should the CASTROs  
10 continue their pattern of deleting Facebook Messenger conversations as they had  
11 apparently done with Subject Account 8.

12           56. On August 15, 2018, SA Landis obtained a search warrant from the United  
13 States District Court for the Western District of Washington for Subject Account 9.  
14 Subject Account 9's friends list included seven individuals who had a mutual friend  
15 named "steve.larson.750983" (Subject Account 10). Comparison of Subject Account  
16 10's publicly available friends list with the previous Subject Accounts' friends lists (with  
17 the exception of Subject Account 4) revealed they all had multiple friends in common.  
18 Agents have previously identified most of these "friends" as suspected drug customers of  
19 the CASTROs.

20           57. Additionally, data from the Subject Account 9 search warrant included a  
21 Mexican telephone number, 52-668-171-2538, which agents had previously identified as  
22 being used by the CASTROs. Based on phone toll analysis, 52-668-171-2538 was in  
23 contact with Devon Meyer, who has consistently been on the friends lists for the Subject  
24 Accounts discussed herein. Meyer was also included on the friends list for Subject  
25 Account 10, further indicating the CASTROs are the users of Subject Account 10.

26 ***Discovery of Subject Account 11***

27           58. On October 12, 2018, I obtained a search warrant from the United States  
28 District Court for the Western District of Washington for Subject Account 10, which I



1 believe CASTRO used in order to network and facilitate suspected drug transactions.  
2 During a search of the "Cookies" portion of the returned warrant materials, I found  
3 Subject Account 6, Subject Account 3, Subject Account 9, and Subject Account 10 listed  
4 as accounts accessed by the same electronic device and under the same "cookie." Again,  
5 this indicates a very high probability that the same person(s) (i.e., the CASTROs) is using  
6 all of these Subject Accounts, including Subject Account 10, since the same electronic  
7 device (i.e., computer, cell phone, or the like) is accessing all of the accounts.

8 59. When I examined Subject Account 10's friends list and compared it to the  
9 other Subject Accounts' friend lists, I found that the accounts all had multiple friends in  
10 common. Agents have previously identified most of these "friends" as suspected drug  
11 customers, further indicating the CASTROs are utilizing Subject Account 10 as a means  
12 of connecting with their suspected drug customers. Agents identified multiple messages  
13 sent to or from Subject Account 10 indicating drug trafficking. For example, on August  
14 28, 2018, the user of an account in the name Alex Hubly asked the user of Subject  
15 Account 10 if he would "front him" an ounce; the user of the Subject Account 10 agreed.  
16 Over the course of this investigation, surveillance units observed Alex Hubly meet with  
17 CASTRO DTO runners. Of note, Alex Hubly and her husband, David Jozeph Hubly  
18 were among the dozens of CASTRO DTO members law enforcement arrested on  
19 December 6, 2018. A Grand Jury in the Western District of Washington charged them  
20 with Conspiracy to Distribute Controlled Substances; their trial date is set for August 26,  
21 2019.

22 60. On August 23, 2018, the user of Facebook account in the name Larry  
23 Sweitzer informed the user of Subject Account 10 he was ready to meet and just needed  
24 to pick up cash and his driver. On August 28, 2018, Sweitzer told the user of Subject  
25 Account 10 that he (Sweitzer) was not ready, the "stuff" was not quite as good, and it was  
26 taking longer to get rid of. Agents researched the Larry Sweitzer account and confirmed  
27 it had been present in the returned materials for Subject Accounts 1, 3, 6, 8, 9, and 10. A  
28 search of Subject Account 9 ("Rudy Jackson") revealed Sweitzer had asked for "17" for

1 \$800 on July 22, 2018, "18" for \$846 on July 25, 2018, and "23" for \$1,035 on July 28,  
2 2018. Based on training and experience, I believe these communications indicate  
3 Sweitzer bought a total of 58 grams of heroin for \$2,681. Additionally, while  
4 communicating with the user of Subject Account 9 on July 28, 2018, Sweitzer stated,  
5 "I'm in a blue Ford Focus" while arranging to meet for the drug purchase. On November  
6 7, 2018, surveillance units observed a blue Ford Focus, bearing Washington license  
7 BER8834, parked at Sweitzer's address of 75 NE Brookdale Lane, Bremerton,  
8 Washington.

9 61. A search of Sweitzer's publicly available friends list showed he was also  
10 friends with TOM RYAN (Subject Account 11). Agents looked at the publicly available  
11 Facebook friends list for Subject Account 11, and saw that eight of the ten friends had  
12 been identified in previous Subject Accounts. Among them were Larry Sweitzer and  
13 Jake Wilson. A search of Subject Account 9 revealed that on August 13, 2018, the user  
14 of Subject Account 9 arranged to sell 38 grams of heroin for \$1,600 to Jake Wilson, and  
15 communicated that his runner would be meeting other clients before delivery to Wilson.  
16 Of note, Wilson was also among the dozens of CASTRO DTO members law enforcement  
17 arrested on December 6, 2018. A Grand Jury in the Western District of Washington  
18 charged him with Distribution of a Controlled Substance; his trial date is set for June 10,  
19 2019.

20 ***Discovery of SUBJECT ACCOUNT 13***

21 62. On November 9, 2018, the Honorable David W. Christel, United States  
22 Magistrate Judge for the Western District of Washington, authorized a search warrant for  
23 Subject Account 11. Agents received the requested information from Facebook for  
24 Subject Account 11 on November 28, 2018.

25 63. Between December 5, 2018, and December 7, 2018, agents executed  
26 federal arrest and search warrants targeting the CASTRO DTO that resulted in forty three  
27 federal arrests, including multiple "friends" from the Subject Accounts.  
28

64. In early January, 2019, suspecting that the CASTRO DTO was again using Facebook to distribute drugs in Western Washington, agents attempted to identify a new Subject Account by analyzing known “friends” from previous accounts and gave particular attention to Subject Account 11, whose materials they received just prior to the December 6, 2018, series of arrests. As a result, agents identified three “friends” from Subject Account 11 who had a mutual friend named “larry.holton.1612” (SUBJECT ACCOUNT 13). Comparison of SUBJECT ACCOUNT 13’s publicly available friends list with the previous Subject Accounts’ friends lists (with the exception of Subject Account 4) revealed they had multiple friends in common. Among the identified friends for SUBJECT ACCOUNT 13 were CS1, “Larry Sweitzer,” and “Mike Myguy.” Agents continued to conduct periodic searches of SUBJECT ACCOUNT 13, and determined additional “friends” were being added, suggesting continued use of the account.

65. As described above, agents initially identified Sweitzer through their review of the various Facebook accounts used by the Castro brothers. Although agents have an arrest warrant for Sweitzer (and a sworn criminal complaint charging him with Distribution of a Controlled Substance), they were unable to locate him on December 6, 2018, during the coordinated takedown of the CASTRO DTO.

66. Agents had already identified “Mike Myguy” through examination of Facebook records from previous accounts. They determined the CASTROs discussed multiple drug deals with Facebook user “Mike TMobile” and, later, “Mike Myguy.” Investigators worked to identify “Mike TMobile.” They reviewed “Mike TMobile’s” account and noticed it was actually the same account as “Mike Myguy,” just with a different “displayed name.” Agents located a photograph on this multi-named Facebook account, which showed “Mike TMobile/Mike Myguy” and an adolescent male. On March 27, 2018, CASTRO, while using the “Gina Morris” account, told “Mike TMobile” to contact “Luis” at 206-981-1971, if he needed anything. Agents had previously identified “Luis” as a CASTRO drug courier in Western Washington named Arturo Frias Ceballos. Phone toll analysis of 206-981-1971 (Frias’ phone number, as provided by

1 CASTRO) showed Frias contacted telephone number 253-576-7093 17 times between  
 2 March 27, 2018 and April 7, 2018. Analysis of the number 253-576-7093 showed it was  
 3 subscribed to Michael Stangel. A WADOL photograph of STANGEL matched the  
 4 Facebook photo of "Mike TMobile/Mike Myguy."

5 67. As is the case with Larry Sweitzer, agents also have an arrest warrant for  
 6 Stangel (and a sworn criminal complaint charging him with Distribution of a Controlled  
 7 Substance), but were unable to locate him on December 6, 2018, during the coordinated  
 8 takedown of the CASTRO DTO.

9 68. On February 12, 2019, I submitted a preservation request for SUBJECT  
 10 ACCOUNT 13 through Facebook's law enforcement web portal in an effort to capture  
 11 suspected drug related conversations over SUBJECT ACCOUNT 13, should the  
 12 CASTROs delete Facebook Messenger conversations (as they had apparently done with  
 13 Subject Account 8) prior to law enforcement's submission of a search warrant to  
 14 Facebook.

15 69. Based on the above, I believe there is probable cause to believe the user of  
 16 SUBJECT ACCOUNT 13 is using the account for drug trafficking purposes, and that  
 17 evidence of the same, as enumerated in Attachment B, will be found within the materials  
 18 sought in Attachment A.

19 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

20 70. I anticipate executing this warrant under the Electronic Communications  
 21 Privacy Act, in particular Title 18, United States Code, Sections 2703(a), 2703(b)(1)(A)  
 22 and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the  
 23 government copies of the records and other information (including the content of  
 24 communications) particularly described in Section I of Attachment B. Upon receipt of  
 25 the information described in Section I of Attachment B, government-authorized persons  
 26 will review that information to locate the items described in Section II of Attachment B.

27 71. As indicated in the Motion for Nondisclosure and Motion to Seal that  
 28 accompany this Affidavit, the government requests, pursuant to the preclusion of notice

1 provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not  
2 to notify any person (including the subscriber or customer to which the materials relate)  
3 of the existence of this warrant for such period as the Court deems appropriate. The  
4 government submits that such an order is justified because notification of the existence of  
5 this Order would seriously jeopardize the ongoing investigation. Such a disclosure would  
6 give the subscriber an opportunity to destroy evidence, change patterns of behavior,  
7 notify confederates, or flee from prosecution. Notifying our targets of the existence of  
8 this investigation will likely cause them to destroy evidence, flee the jurisdiction, or alter  
9 their methods, thus making it more difficult to dismantle the organization effectively.

10 Notice also could put the CS, UC, and agents working with them in danger

11 72. It is further respectfully requested that this Court issue an order sealing all  
12 papers submitted in support of this application, including the application and search  
13 warrant, until such dates as provided in the proposed Order. I believe that sealing this  
14 document is necessary because the items and information to be seized are relevant to an  
15 ongoing investigation. Premature disclosure of the contents of this Affidavit and related  
16 documents may have a significant and negative impact on the continuing investigation  
17 and may severely jeopardize its effectiveness.

#### 18 **COMMON CHARACTERISTICS OF DRUG TRAFFICKERS**

19 73. Based on my training and experience, including experience obtained  
20 through participation in this and other investigations involving the distribution of  
21 controlled substances, including those targeting long-term conspiracies responsible for  
22 the distribution of controlled substances, and based upon my consultation with other  
23 experienced law enforcement agents and officers, I know that:

24 a. Drug trafficking conspiracies, especially those involving large amounts of  
25 narcotics and interstate shipments, usually take place over several months or years, and  
26 continue to operate even when enforcement activity results in arrests and/or seizures of  
27 drugs and/or money.



74. Based upon the information which has been uncovered during the course of this investigation, and on the advice, experience, knowledge of other agents and officers involved in this investigation, I believe these facts establish probable cause to conclude that SUBJECT ACCOUNT 13 has been used, and will continue to be used, to facilitate violations of the Controlled Substances Act, specifically distribution of narcotics, conspiracy, and related offenses in the Western District of Washington, and elsewhere, in violation of the Controlled Substances Act, Title 21, United States Code, Sections 841 and 846.

Subscribed and sworn to before me this 12<sup>th</sup> day of March, 2019.

UNITED STATES ATTORNEY  
1201 PACIFIC AVENUE, SUITE 700  
TACOMA, WASHINGTON 98402  
(253) 428-3800

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with the following account, identified by Facebook user ID: larry.holton.1612, registered under the name LARRY HOLTON, for all such information that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California. This warrant is limited to information created after June 16, 2016.

**ATTACHMENT B****Particular Things to be Seized****I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under Title 18, United States Code, Section 2703(f), Facebook is required to disclose the following information to the government for the user ID listed in Attachment A (larry.holton.1612), referred to herein as SUBJECT ACCOUNT 13:

A. The following information about the customer or subscriber of SUBJECT ACCOUNT 13:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for SUBJECT ACCOUNT 13, and all other documents showing the user's posts and other Facebook activities;
- (c) All photos and videos in their original format, including EXIF information (metadata), uploaded by that user ID and all photos and videos in their original format, including EXIF information (metadata), uploaded by any user that have that user tagged in them;
- (d) All other records of communications and messages made or received by the user, including all private messages, chat history, calling history, and pending "Friend" requests;
- (e) All "check ins" and other location information;

- (f) All IP logs, including all records of the IP addresses that logged into SUBJECT ACCOUNT 13;
  - (g) All past and present lists of friends created by SUBJECT ACCOUNT 13;
  - (h) All records of Facebook searches performed by SUBJECT ACCOUNT 13;
  - (i) The length of service (including start date);
  - (j) The means and source of payment for such service (including any credit card or bank account number) and billing records;
  - (k) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken;
  - (l) Names (including subscriber names, Facebook user IDs, and screen names);
  - (m) Addresses (including mailing addresses, residential addresses, business addresses, and e-mail addresses);
  - (n) Local and long distance telephone connection records;
  - (o) Linked accounts; and
  - (p) Telephone or instrument numbers or identities (including MAC addresses).
- B. All records and other information (not including the contents of communications) relating to SUBJECT ACCOUNT 13, including:
- (a) Records of user activity for each connection activity for each connection made to or from SUBJECT ACCOUNT 13, including log files; messaging logs; the date, time, length, and method of connections; data transfer volume; user names; and source and destination of Internet Protocol addresses;
  - (b) Information about each communication sent or received by SUBJECT ACCOUNT 13, including the date and time of the communication, the method of the communication (such as source and destination email addresses, IP addresses, and telephone numbers); and

- 1 (c) Records of any Facebook accounts that are linked to SUBJECT  
2 ACCOUNT 13 by machine cookies (meaning all Facebook user IDs that  
3 logged into Facebook by the same machine or device as SUBJECT  
4 ACCOUNT 13).

5 **II. Information to be seized by the government**

6 All information described above in Section I that relates to the ongoing narcotics  
7 investigation described in the Affidavit, including, for SUBJECT ACCOUNT 13,  
8 information pertaining to the following matters:

- 9 (a) Any content including e-mails, messages, texts, photographs (including  
10 metadata), videos (including metadata), visual images, documents,  
11 spreadsheets, address lists, contact lists or communications of any type  
12 which could be used to identify the user and or their location.
- 13 (b) Records relating to who created, used, or communicated with the user ID,  
14 including records about their identities and whereabouts.
- 15 (c) All subscriber records associated with SUBJECT ACCOUNT 13, including  
16 names, addresses, local and long distance telephone connection records, or  
17 records of session times and durations, length of service (including start  
18 date) and types of service utilized, telephone or instrument number or other  
19 subscriber number or identity, including any temporarily assigned network  
20 address, and means and source of payment for such service including any  
21 credit card or bank account number.
- 22 (d) Any and all other log records, including IP address captures, associated  
23 with SUBJECT ACCOUNT 13; and
- 24 (e) Any records of communications between Facebook and any person about  
25 issues relating to the account, such as technical problems, billing inquiries,  
26 or complaints from other users about SUBJECT ACCOUNT 13. This is to  
27 include records of contacts between the subscriber and the provider's  
28



1 support services, as well as records of any actions taken by the provider or  
2 subscriber as a result of the communications.  
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